

ANNUAL REPORT



United States Courts
for the Ninth Circuit

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Gregory B. Walters, Circuit Executive*

The Judicial Council of the Ninth Circuit



Front row, from left: Chief District Judge William B. Shubb, Circuit Judge Alex Kozinski, Chief Circuit Judge Mary M. Schroeder, Circuit Judge A. Wallace Tashima, Circuit Judge Sidney R. Thomas. Back row, from left: Senior District Judge Robert J. Bryan, Chief Bankruptcy Judge Edward D. Jellen, Chief District Judge Marilyn Hall Patel, Circuit Judge William A. Fletcher, Senior Circuit Judge Betty Binns Fletcher, Magistrate Judge Virginia Mathis, Senior District Judge Jack D. Shanstrom, Chief District Judge David A. Ezra.

MISSION STATEMENT

United States Courts for the Ninth Circuit

The Mission of the Judicial Council of the Ninth Circuit is to support the effective and expeditious administration of justice and the safeguarding of fairness in the administration of the courts within the circuit. To do so, it will promote the fair and prompt resolution of disputes, ensure the effective discharge of court business, prevent any form of invidious discrimination, and enhance public understanding of, and confidence in, the judiciary.

FOREWORD

Chief Judge Mary M. Schroeder



I am pleased to present the 2003 Annual Report of the United States Courts for the Ninth Circuit. This report highlights the work of the federal courts serving nine western states and two Pacific Island jurisdictions. It recaps major developments in court administration and provides fiscal year statistics on caseloads and other matters. We hope you find it useful and welcome your comments.

2003 was a challenging year for our courts. The Ninth Circuit Court of Appeals set another record for case filings. Our FY2003 filings reached 12,872, up 12.7 percent from the prior fiscal year. Many of the new appeals involve decisions by the Board of Immigration Appeals (BIA), which last year implemented new procedures to clear a large backlog of cases. Since the BIA changes went into effect in early 2002, the number of immigration cases appealed to the Court of Appeals has increased by 341 percent. Immigration cases rose from 954 in FY2001 to 2,670 in FY2002 to 4,206 in FY2003. Thus, while the Ninth Circuit had about 21.2 percent of all national appellate filings last year, we had 47.6 percent of all immigration appeals.

Immigration also figures into the larger caseloads reported by 10 of the circuit's 15 district courts. Immigration case filings grew by 17 percent in FY2003 and now account for 38 percent of all criminal filings in the district courts. Drug offenses, which actually declined by 9 percent from the prior fiscal year, still account for 21 percent of all criminal filings. Our "border court" districts of Arizona and Southern California reported the greatest number of new criminal cases. Immigration accounted for more than half of the new criminal cases in each of those districts.

We were better able to deal with the increase in workload thanks to seven new district court judgeships that came into effect this year. Five of those went to the Southern District of California, while the Central District of California and Arizona claimed one each. We also were fortunate to have had judicial vacancies filled relatively quickly. We welcomed three new judges on the Court of Appeals and 12 in our district courts.

Our courts also continue to rely heavily on senior circuit and senior district judges. These are judges who are eligible for retirement but have chosen to continue working with a reduced caseload. In FY2003, the Ninth Circuit's 21 senior circuit judges sat on appellate panels, served on circuit and national judicial committees, and handled a variety of administrative matters. In the district courts, 54 senior judges heard cases, presided over procedural matters, served on committees and conducted other business of their courts. Not enough can be said of their important contribution to the judicial system.

A handwritten signature in black ink that reads "Mary M. Schroeder". The signature is written in a cursive, flowing style.

An Overview of the Ninth Circuit

The United States Courts for the Ninth Circuit consists of the U.S. Court of Appeals for the Ninth Circuit, the district and bankruptcy courts in the 15 federal judicial districts that comprise the circuit, and associated administrative units, including probation and pretrial services.

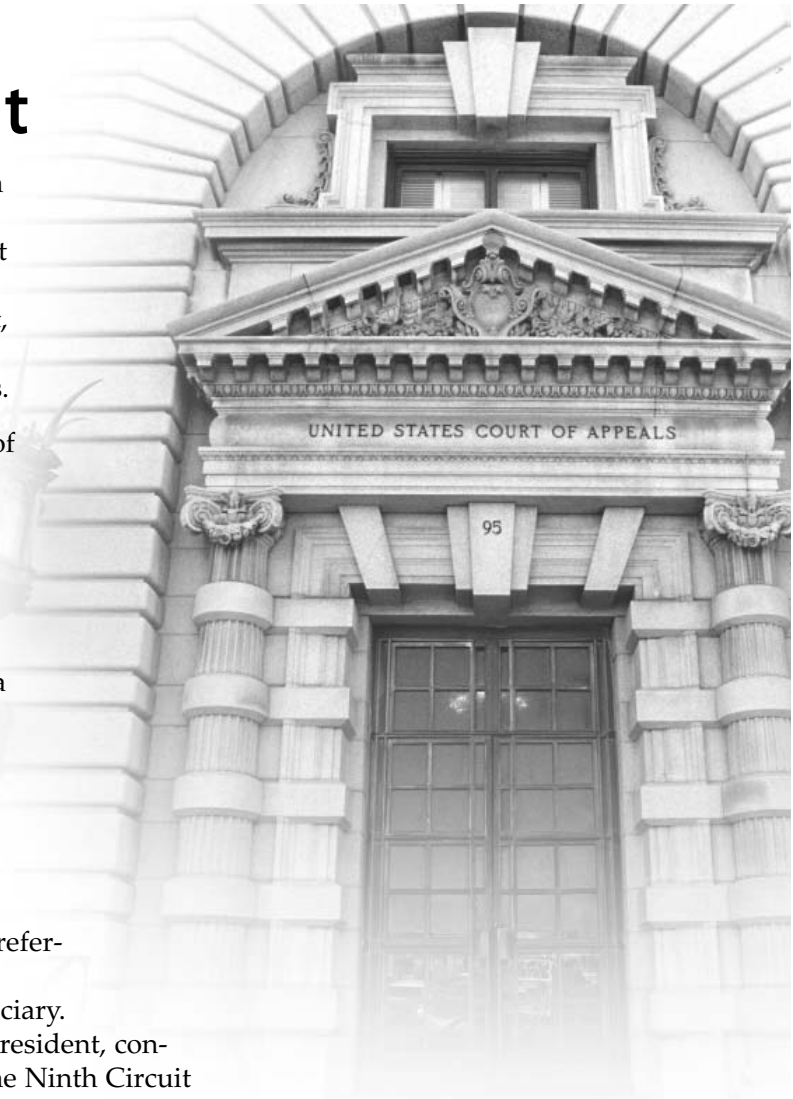
The Ninth Circuit includes the Districts of Alaska, Arizona, Central California, Eastern California, Northern California, Southern California, Hawaii, Idaho, Montana, Nevada, Oregon, Eastern Washington, Western Washington, the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands. The establishment of the Ninth Circuit in 1866 began the development of the federal judicial system for the western United States. Today, it is the largest and busiest of federal circuits.

Judges serving on the circuit and district courts are known as Article III judges, a reference to the article in the United States Constitution establishing the federal judiciary. Article III judges are nominated by the President, confirmed by Congress and serve for life. The Ninth Circuit Court of Appeals has been authorized 28 judgeships and ended 2003 with two vacant positions. District courts were authorized 110 judgeships, four of which were vacant at year's end.

Federal courts also rely on senior circuit and senior district judges to assist with their workload. These are Article III judges who are eligible for retirement but have chosen to continue working with a reduced caseload. In 2003, 21 senior circuit judges sat on appellate panels, served on circuit and national judicial committees and handled a variety of administrative matters. In the district courts, 54 senior judges heard cases, presided over procedural matters, served on committees and conducted other business of their courts.

In addition to Article III judges, the Ninth Circuit has a number of Article I judges, who serve as magistrate judges in the district courts or as bankruptcy judges in the bankruptcy courts. Bankruptcy judges are appointed by the Court of Appeals for a term of 14 years, while magistrate judges are appointed by the district courts and hold their positions for eight years. During 2003, there were 66 bankruptcy judges, including nine retired bankruptcy judges who rendered assistance, and 86 full-time magistrate judges (10 part-time magistrate judges and seven retired magistrate judges).

Overall, the Ninth Circuit courts experienced increased caseloads in 2003. Unless otherwise noted, statistics in this report cover the fiscal year, beginning October 1, 2002, and ending September 30, 2003.



Judicial Council of the Ninth Circuit

The Judicial Council of the Ninth Circuit is the governing body of the United States Courts for the Ninth Circuit. The Judicial Council's statutory mission is to support the effective and expeditious administration of justice and the safeguarding of fairness in the administration of the courts. It has statutory authority to "make all necessary and appropriate orders for the effective and expeditious administration of justice within its circuit," [28 U.S.C. 332(d)(1)]. The 13 members are looked upon as a "judicial board of directors." Chaired by the chief judge of the circuit, the judicial council's role is to provide policy guidance and leadership. The council meets quarterly to review issues and resolve problems facing the courts, conducting additional business by conference call or mail ballot when necessary.

The Office of the Circuit Executive provides staff support to the Judicial Council and implements its administrative decisions and policies. By statute, the circuit executive is the administrative assistant to the chief judge of the circuit and secretary to the Judicial Council. The circuit executive and his staff assist in identifying circuit-wide needs, conducting studies, proactively developing and implementing policies, providing training, public information, and human resources support, coordinating building and automation projects, and advising the council on procedural and ethical matters. The Office of Circuit Executive provides management and technical assistance to courts within the circuit upon request. It also administers the annual Ninth Circuit Judicial Conference.

Day-to-day management of the courts rests with the Court of Appeals and each of the district and bankruptcy courts. Under the direction of the

individual courts' chief judge and clerk of court, the clerks' offices process new cases and appeals, handle docketing functions, respond to procedural questions from the public and bar, and provide adequate judicial staff resources. The clerk of court for the Court of Appeals also supervises the work of the Circuit Mediation Office and the Office of the Staff Attorneys, which includes the research, motions, case management and pro se units. The Office of the Appellate Commissioner, also located in the Ninth Circuit Court of Appeals Clerk's Office, reviews Criminal Justice Act vouchers for cases that come before the Court of Appeals.

District courts in the Ninth Circuit maintain oversight of Probation and Pretrial Services offices, which are responsible for supervision of convicted and accused criminal defendants including background investigations and reports. The circuit's Federal Public Defender offices represent indigent defendants unable to afford private counsel. A public defender office is located in each Ninth Circuit district, with the exception of Northern Mariana Islands, which relies on a Criminal Justice Act panel of attorneys.

The Judicial Council of the Ninth Circuit also relies on three associations of judicial officers for vital input on policy matters and to serve as conduits of information to judges of the courts:

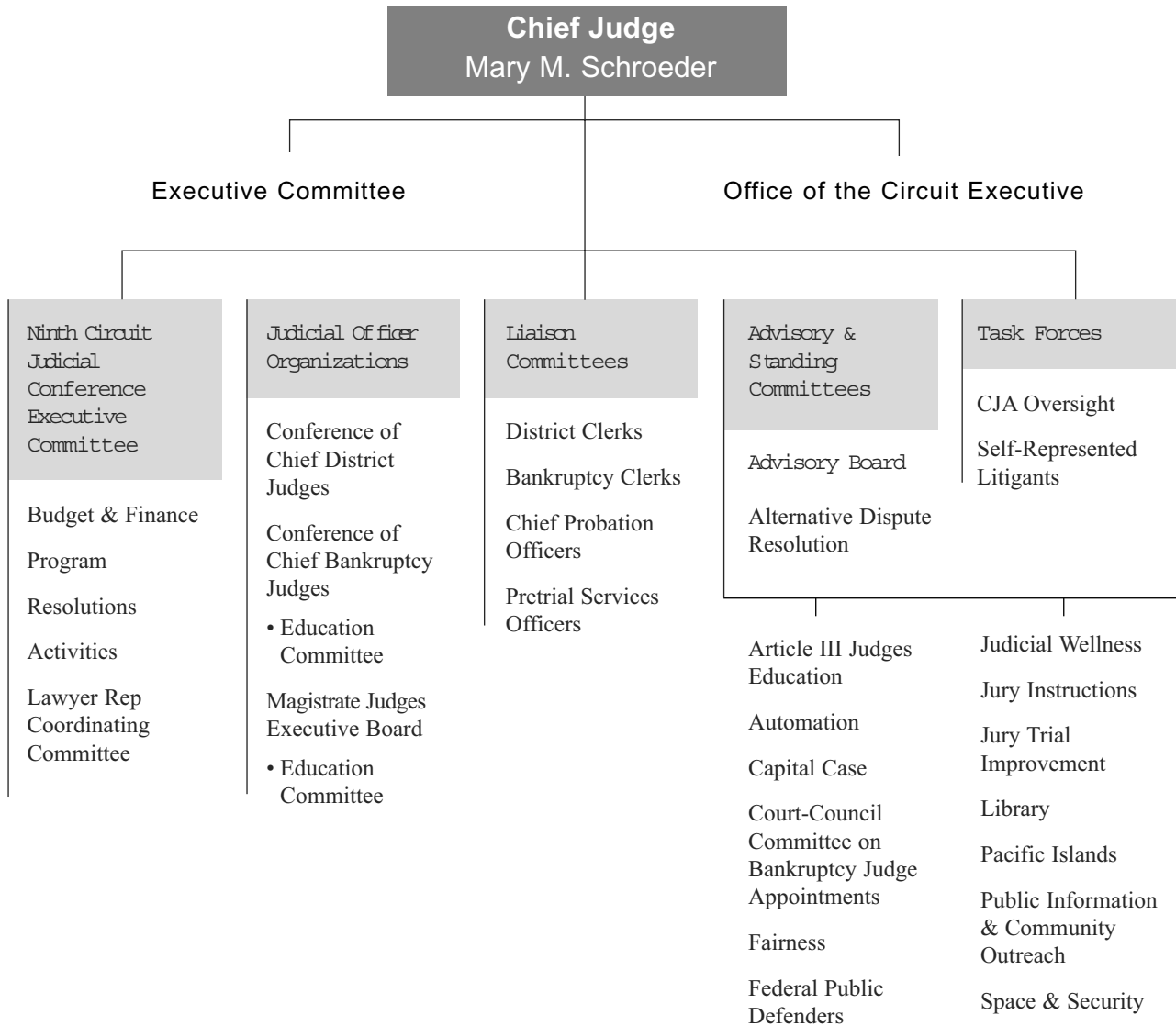
Conference of Chief District Judges

The Conference of Chief District Judges advises the Judicial Council about the administration of justice in each of the circuit's 15 district courts. The Conference, which is comprised of the chief district judge of each district, meets twice a year. Chief District Judge William Shubb, of the Eastern



The Judicial Council is widely inclusive. Members include, at left, Magistrate Judge Virginia Mathis and Chief Bankruptcy Judge Edward Jellen. At right are Senior Judge Jack Shanstrom, representing senior judges, and Senior Judge Robert Bryan, president of the Federal Judges Association.





District of California, served as chair from September 2002 to May 2003. He was succeeded by Chief District Judge John C. Coughenour of the Western District of Washington, who will serve through August 2004.

Conference of Chief Bankruptcy Judges

The Conference of Chief Bankruptcy Judges advises the Judicial Council on the administration of the bankruptcy courts within the circuit. It consists of the chief bankruptcy judges of each district and the presiding judge of the Bankruptcy Appellate Panel (BAP). Chief Bankruptcy Judge Edward Jellen, of the Northern District of California, chaired the conference from October 2002 to September 30, 2003, when Chief Bankruptcy Judge Patricia

Williams of the Northern District of California, became chair. Judge Williams will serve through June 2004.

Magistrate Judges Executive Board

The Magistrate Judges Executive Board provides a channel of communication between the Judicial Council and the circuit’s 86 full-time, 10 part-time, and seven recalled magistrate judges. The 11-member board meets twice a year and meets with all magistrate judges at the annual circuit conference. Judge Virginia Mathis, of the District of Arizona, began a two-year term as chair of the Board in September 2002. As chair, she serves as an observer member of the Judicial Council.

New Judges of the Ninth Circuit

New Circuit Judges



Judge Carlos T. Bea was appointed to the Ninth Circuit Court of Appeals on October 1, 2003. Prior to his appointment to the federal bench, Judge Bea served as a California Superior Court judge, San Francisco, 1990 to 2003. Judge Bea engaged in private practice as a sole proprietor at Carlos Bea Law Corporation, 1975 to 1990. He was a partner in the law firm of Dunne, Phelps & Mills, San Francisco, 1967 to 1975, and practiced as an associate of the firm, 1959 to 1966. Judge Bea received his B.A. from Stanford University in 1956 and his juris doctorate from Stanford Law School in 1958. He maintains chambers in San Francisco.



Judge Jay S. Bybee was appointed to the Ninth Circuit Court of Appeals on March 21, 2003. Prior to his appointment, Judge Bybee served as an assistant attorney general at the United States Department of Justice, Office of Legal Counsel, 2001 to 2003. Judge Bybee was a professor at the University of Nevada, William S. Boyd School of Law, 1999 to 2000. He also served on the faculty of the Louisiana State University, Paul M. Hebert Law Center, as a professor from 1998 to 1999, as an associate professor, 1994 to 1998, and an assistant professor, 1991 to 1994. Judge Bybee received his B.A. from Brigham Young University in 1977 and his juris doctorate from Brigham Young University, J. Reuben Clark Law School in 1980. He maintains chambers in Las Vegas.



Judge Consuelo M. Callahan was appointed to the Ninth Circuit Court of Appeals on May 28, 2003. Prior to her appointment to the federal bench, Judge Callahan served as an associate justice of the California Court of Appeal, 1996 to 2003, and as a California Superior Court judge, San Joaquin County, from 1992 to 1996. Judge Callahan served as commissioner for the Municipal Court of Stockton, 1986 to 1992. She served in the San Joaquin County District Attorney's Office as the deputy district attorney, 1976 to 1986, and as the supervisory district attorney, 1982 to 1986. Judge Callahan received her A.B. from Stanford University in 1972 and her juris doctorate from McGeorge School of Law, the University of the Pacific in 1975. She maintains chambers in Sacramento.

New District Judges



Judge Larry A. Burns was appointed a district judge for the Southern District of California on September 25, 2003. Prior to his appointment, Judge Burns served as a magistrate judge for the Southern District of California, 1997 to 2003. He was an assistant United States Attorney for the Southern District of California, 1985 to 1997, and served as a deputy district attorney for San Diego County, 1979 to 1985. Judge Burns received his B.A. from Point Loma College in 1976 and his juris doctorate from the University of San Diego School of Law in 1978. He maintains chambers in San Diego.



Judge David G. Campbell was appointed a district judge for the District of Arizona on July 15, 2003. Prior to his appointment, Judge Campbell was a partner at Osborn Maledon, P.A., Phoenix, 1995 to 2003. He was a partner in Meyer, Hendricks, Victor, Osborn & Maledon, Phoenix, 1986 to 1995, and an associate there, 1982 to 1986. Judge Campbell received his B.S. from the University of Utah in 1976 and his juris doctorate from the University of Utah College of Law in 1979. Following law school, he served as a law clerk to (now Chief) Justice William H. Rehnquist of the United States Supreme Court, 1981 to 1982. He maintains chambers in Phoenix.



Judge Cormac J. Carney was appointed a district judge for the Central District of California on April 9, 2003. Prior to his appointment to the federal bench, Judge Carney served as a California Superior Court judge, Orange County, 2001 to 2003. Judge Carney was a partner in the law firm of O'Melveny & Myers, Los Angeles, 1995 to 2001, an associate, 1991 to 1995. He was an associate at Latham & Watkins, Los Angeles, 1987 to 1991. Judge Carney received his B.A. from the University of California at Los Angeles in 1983 and his juris doctorate from Harvard Law School in 1987. He maintains chambers in Los Angeles.



Judge Dale S. Fischer was appointed a district judge for the Central District of California on November 5, 2003. Prior to her appointment to the federal bench, Judge Fischer served as a California Superior Court judge, Los Angeles County, 2000 to 2003, and as a Municipal Court judge, Los Angeles Judicial District, 1997 to 2000. Judge Fischer was special counsel at Heller Ehrman White & McAuliffe, Los Angeles, 1996 to 1997. She was a partner in the law firm of Kindel & Anderson, Los Angeles, 1986 to 1996, and an associate there, 1980 to 1986. Judge Fischer received her B.A. from the University of Florida in 1977 and her juris doctorate from Harvard Law School in 1980. She maintains chambers in Los Angeles.



Judge William Q. Hayes was appointed a district judge for the Southern District of California on October 6, 2003. Prior to his appointment, Judge Hayes was an assistant United States Attorney, Southern District of California, 1987 to 2003, serving as chief of the Criminal Division from 1999 to 2003. He previously practiced law in Denver, Colorado, as an associate at Stone and Associates, 1984 to 1986, and as an associate at Scheid and Horlbeck, 1983 to 1984. Judge Hayes received his B.S. from Syracuse University in 1979, his M.B.A. from Syracuse University Graduate School of Business in 1983, and his juris doctorate from Syracuse University School of Law in 1983. He maintains chambers in San Diego.



Judge John A. Houston was appointed a district judge for the Southern District of California on October 8, 2003. Prior to his appointment, Judge Houston served as a magistrate judge for the Southern District of California, 1998 to 2003. He served in the U.S. Attorney's Office, Southern District of California, as a senior financial litigation counsel, 1996 to 1998; as a senior counsel for asset forfeiture, 1994 to 1996; as chief of the Asset Forfeiture Unit, 1987 to 1994; and as an assistant U.S. Attorney, 1981 to 1987. Judge Houston received his B.S. from North Carolina A & T University in 1974 and his juris doctorate from the University of Miami at Coral Gables School of Law in 1977. He maintains chambers in San Diego.



Judge Robert C. Jones was appointed a district judge for the District of Nevada on November 30, 2003. Prior to his appointment, Judge Jones served as a U.S. bankruptcy judge for the District of Nevada, 1983 to 2003. He was an attorney at Jones & Holt, Las Vegas, 1977 to 1982, and an attorney at Albright & McGimsey, Las Vegas, 1976 to 1977. Judge Jones received his B.S. from Brigham Young University in 1971 and his juris doctorate from the University of California at Los Angeles in 1975. After law school, he served as law clerk to U.S. Circuit Judge J. Clifford Wallace of the U.S. Court of Appeals for the Ninth Circuit in 1975. He maintains chambers in Las Vegas.

2001 Appointment



Judge Frederick J. Martone was appointed a district judge for the District of Arizona on December 21, 2001. Prior to his appointment, Judge Martone served as justice of the Supreme Court of Arizona, 1992 to 2001; as judge of the Superior Court of Arizona, Maricopa County, 1985 to 1992. He was an associate then partner at Jennings, Strouss and Salmon, Phoenix, 1973 to 1985. Judge Martone received his B.S. from College of the Holy Cross in 1965, his juris doctorate from the University of Notre Dame in 1972, and his LL.M. from Harvard University in 1975. Following law school, he served as law clerk to Justice Edward F. Hennessey of the Supreme Judicial Court of Massachusetts, 1972 to 1973. We regret leaving Judge Martone out of the 2001 Annual Report.



Judge Michael W. Mosman was appointed a district judge for the District of Oregon on September 26, 2003. Prior to his appointment, Judge Mosman served as United States Attorney for the District of Oregon, 2001 to 2003, and as an assistant U.S. attorney, 1988 to 2001. He was an associate at Miller Nash, LLP, Portland, 1986 to 1988. Judge Mosman received his B.S. from Utah State University in 1981 and his juris doctorate from Brigham Young University, J. Reuben Clark Law School in 1984. Following law school, he clerked for United States Supreme Court Justice Lewis F. Powell, 1985 to 1986, and Circuit Judge Malcolm Wilkey of the District of Columbia Circuit Court, 1984 to 1985. He maintains chambers in Portland.



Judge S. James Otero was appointed a district judge for the Central District of California on February 12, 2003. Prior to his appointment to the federal bench, Judge Otero served as a California Superior Court judge, Los Angeles County, 1990 to 2003; as a Municipal Court judge in Los Angeles, 1988 to 1990. He was the regional counsel in charge for the Southern Pacific Transportation Company in Los Angeles, 1987 to 1988. Judge Otero received his B.A. from California State University at Northridge in 1973 and his juris doctorate from Stanford Law School in 1976. He maintains chambers in Los Angeles.



Judge Dana M. Sabraw was appointed a district judge for the Southern District of California on September 26, 2003. Prior to his appointment, Judge Sabraw served as a California Superior Court judge, San Diego County, 1998 to 2003. He served as judge of the North County Municipal Court, San Diego, 1995 to 1998, as presiding judge in 1998, and as an assistant presiding judge in 1997. Judge Sabraw was a partner at Baker & McKenzie, San Diego, 1992 to 1995, and was an associate at the firm, 1989 to 1992. He was an associate at Price, Postel & Parma, Santa Barbara, 1985 to 1989. Judge Sabraw received his B.S. from San Diego State University in 1980 and his juris doctorate from the University of the Pacific, McGeorge School of Law in 1985. He maintains his chambers in San Diego.



Judge James V. Selna was appointed a district judge for the Central District of California on March 27, 2003. Prior to his appointment to the federal bench, Judge Selna served as a California Superior Court judge, Orange County, 1998 to 2003. He was a partner at O'Melveny & Myers, Los Angeles, 1978 to 1998, and an associate at the firm, 1970 to 1977. Judge Selna received his A.B. from Stanford University in 1967 and his juris doctorate from Stanford Law School in 1970. He maintains chambers in Los Angeles.



Judge Lonny R. Suko was appointed a district judge of the Eastern District of Washington on July 16, 2003. Prior to his appointment, Judge Suko served as a magistrate judge for the Eastern District of Washington, 1995 to 2003, and as a part-time magistrate judge, 1971 to 1991. He was associated with the Lyon Law Offices, Yakima, as a shareholder, 1991 to 1995; a partner, 1972 to 1991; and an associate, 1969 to 1972. Judge Suko received his B.A. from Washington State University in 1965 and his juris doctorate from the University of Idaho College of Law in 1968. He maintains chambers in Yakima.

New Bankruptcy Judge



Judge Maureen A. Tighe was appointed a bankruptcy judge for the Central District of California on November 3, 2003. Prior to her appointment, Judge Tighe served as U.S. Trustee for the Central District of California, 1998 to 2003. She also had served as an interim U.S. trustee in the districts of Southern California, Hawaii, Guam and Northern Mariana Islands. Judge Tighe served as an assistant United States Attorney in Los Angeles, 1988 to 1998, where she was deputy chief of the major frauds section and chaired the bankruptcy fraud task force. She engaged in private practice at Sullivan and Cromwell, New York City, 1986 to 1988. Judge Tighe received her B.A. from Douglass College of Rutgers University in 1979 and her juris doctorate from Rutgers Law School in 1984. Following law school, she served as a law clerk for United States District Judge Harold Ackerman of the District of New Jersey, 1984 to 1986. She maintains chambers in Los Angeles.

New Magistrate Judges



Judge Jan M. Adler was appointed a magistrate judge for the Southern District of California on July 8, 2003. Prior to his appointment, Judge Adler was a partner at Milberg, Weiss, Bershad, Hynes, & Lerach, San Diego, 1987 to 2003, and an associate there, 1982 to 1986. He was an attorney at Jennings, Strouss & Salmon, Phoenix, 1978 to 1982. Judge Adler received his A.B. from Cornell University, College of Arts and Sciences in 1975, and his juris doctorate from Duke University School of Law in 1978. He maintains chambers in San Diego.



Judge Theresa Goldner was appointed a magistrate judge of the Eastern District of California on August 1, 2003. Prior to her appointment to the federal bench, Judge Goldner served as a California State Superior Court commissioner, Bakersfield, 1996 to 2003. She engaged in private practice, Bakersfield, 1984 to 1996, and was an associate at Pettit & Martin, San Francisco, 1982 to 1984. Judge Goldner received her B.A. from the University of California at Davis in 1979 and her juris doctorate from the University of California at Los Angeles School of Law in 1982. She maintains chambers in Bakersfield.



Judge Kimberly J. Mueller was appointed a magistrate judge for the Eastern District of California on March 28, 2003. Prior to her appointment to the federal bench, Judge Mueller engaged in private practice in Sacramento, 2000 to 2003. She worked at the law firm of Orrick, Herrington & Sutcliffe, Sacramento, 1995 to 2000. Judge Mueller received her B.A. from Pomona College in 1981 and her juris doctorate from Stanford Law School in 1995. She maintains chambers in Sacramento.



Judge Karen L. Strombom was appointed a magistrate judge for the Western District of Washington on April 4, 2003. Prior to her appointment to the federal bench, Judge Strombom served as a State of Washington Superior Court judge, Pierce County, 1990 to 2003. She was an associate and partner at Burgess, Kennedy, Fitzer & Strombom, Tacoma, 1978 to 1990. Judge Strombom received her B.S. from the University of Wisconsin, Stevens Point, in 1974 and her juris doctorate from the University of Wisconsin, Madison, in 1978. She maintains chambers in Tacoma.



Judge Mary Alice Theiler was appointed a magistrate judge for the Western District of Washington on April 25, 2003. Prior to taking the federal bench, Judge Theiler engaged in private practice as a partner with the Seattle firm of Theiler Douglas Drachler & McKee, LLP, 1979 to 2003. Judge Theiler received her B.A. from the University of Michigan in 1971 and her juris doctorate from Wayne State University in 1974. She maintains chambers in Seattle.

In Memoriam



Judge Hollis G. Best (1926-2003) was appointed a magistrate judge for the Eastern District of California on February 28, 1994 and reappointed in 2002. Prior to his appointment to the federal bench, Judge Best sat on the California Court of Appeal, Fifth Appellate District, where he was a presiding justice, 1990 to 1994, and an associate justice, 1984 to 1990. He served as judge of California Superior Court, Fresno County, 1972 to 1984, including two terms as presiding judge 1980-1981 and 1974-1977. Judge Best engaged in private practice at McCormick, Barstow, Sheppard, Coyle and Best, Fresno, 1963 to 1972. He received his B.A. from Fresno State College in 1948 and his juris doctorate from Stanford University School of Law in 1951. He passed away on August 15, 2003. Judge Best is survived by his wife, Jeanne, his four children, and eight grandchildren.



Judge Loren Dahl (1921-2003) was appointed a bankruptcy judge for the Eastern District of California on February 6, 1980. Prior to his appointment, Judge Dahl engaged in private practice. At the time of his appointment to the bench, he was a senior partner at the law firm of Dahl, Hefner, Stark & Marois in Sacramento. Judge Dahl received his A.A. from the University of the Pacific, Stockton, in 1940, and his LL.B. and juris doctorate from Hastings College of the Law, University of California, in 1949. He passed away on March 12, 2003. Judge Dahl is survived by his wife, Pamela, his two children, his sister, and three grandchildren.



Judge William H. Orrick (1915-2003) was appointed a district judge for the Northern District of California on July 8, 1974 and took senior status on October 31, 1985. Prior to his appointment, Judge Orrick engaged in private practice as a partner at Orrick, Herrington, Rowley and Sutcliffe, San Francisco, 1965 to 1974. He served as an assistant attorney general in the United States Department of Justice, 1963 to 1965, and was the deputy undersecretary for administration, United States Department of State, 1962 to 1963. Judge Orrick received his B.A. from Yale University in 1937 and his LL.B. from the University of California Boalt Hall School of Law in 1941. He passed away on August 15, 2003. Judge Orrick is survived by his wife, Suzanne, three children, and six grandchildren.

Space and Security Committee Manages Circuit's Space Needs

The Space and Security Committee acts on behalf of the Judicial Council of the Ninth Circuit with regard to judiciary policies and guidelines related to space and security. This committee reviews and approves all new projects including major prospectus projects and lease build-to-suits, lease renewals, space expansions and releases, parking, furniture expenditures over the cost ceilings, and expenditures of funding for construction. The committee acts as liaison to the General Services Administration (GSA), assisting court units to resolve issues and ensure that court requirements are met. This committee works closely with the Administrative Office of the United States Courts to ensure that Ninth Circuit projects receive priority and funding as required.

In 2003, the committee, chaired by Senior Circuit Judge Melvin Brunetti, faced the challenge of increasing space needs and decreasing amounts of funding for courthouse projects. As judges take senior status and replacements come on board and new judgeships are approved, the need for additional courtrooms and chambers continue to increase. The U.S. Probation and Federal Public Defender offices also are in need of more office space as their workloads grow.

Courthouses Under Construction

Seattle – Western District of Washington

The largest of the courthouses under construction in 2003 was in downtown Seattle, in the Western District of Washington. Court units will begin moving into the new building in late summer 2004. The 23-story, 615,000 square foot building will accommodate the U.S. District Court, U.S. Bankruptcy Court, Probation, Pretrial Services, U.S. Attorneys Office, U.S. Marshals Service and GSA. The courthouse will contain 18 courtrooms and a detention cell block for prisoners awaiting trials. The district court will vacate the existing Nakamura Courthouse, which will then be renovated for use by circuit judges, who are currently split between the Nakamura courthouse and leased space.

Fresno – Eastern District of California

Construction continues on the new Fresno courthouse for the Eastern District of California. In 2003, workers completed the 11-story steel structure and began adding the exterior cladding on the 430,000 square foot building. The new courthouse will house district and bankruptcy court operations as well as the U.S. Trustees, U.S. Marshals Service and U.S. Attorney. This courthouse will have 14 courtrooms and is targeted for completion in 2005.

El Centro – Southern District of California

A 42,000 square foot “build-to-suit” project is under way for a full-time magistrate judge, clerk’s office, U.S. Probation, U.S. Pretrial Services, U.S. Marshals Service and GSA. The estimated completion date is fall 2004.

Major Courthouse Renovation

Seattle – Court of Appeals

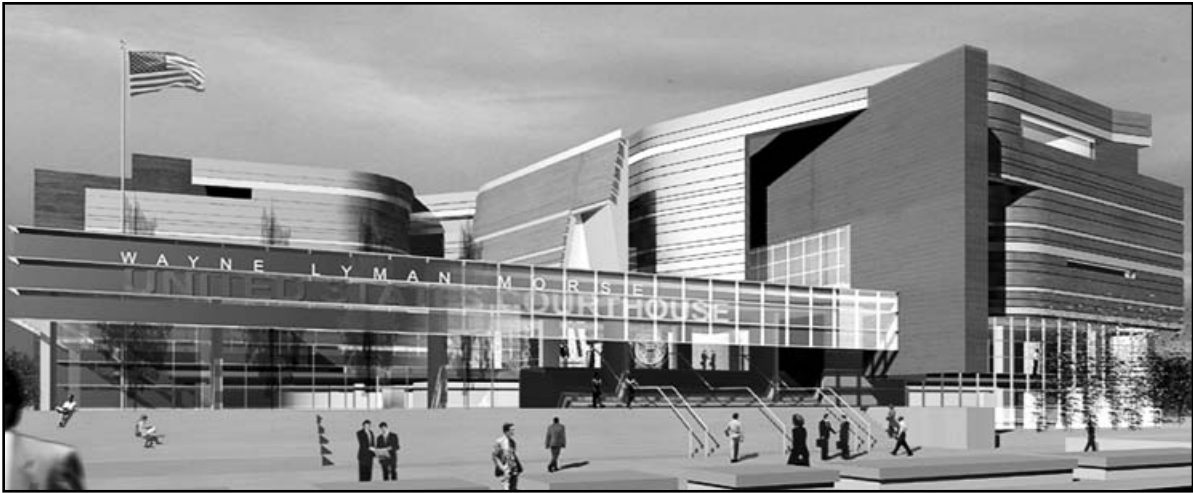
The Nakamura courthouse will be the future home for the Court of Appeals in Seattle. The project scope includes major renovation, seismic, security and systems upgrades. An architect has been selected and the programming and planning stage is underway. The construction is expected to start in fall of 2005 with completion anticipated in late 2007.

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Courthouses Under Construction

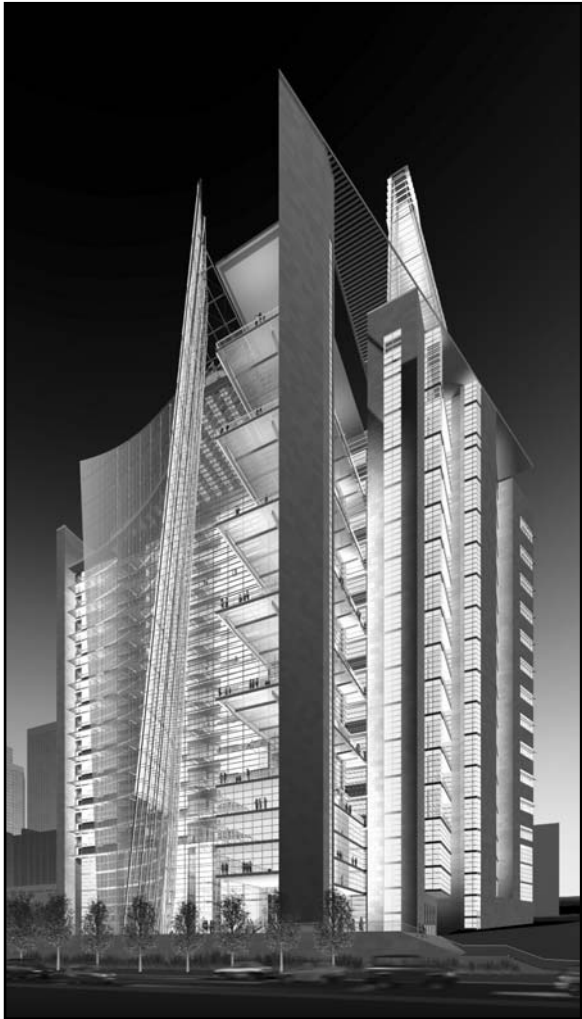


The most advanced of the courthouse construction projects under way in the Ninth Circuit are in Seattle, upper left, and Fresno, upper right. The El Centro project, above, is shown at the structural steel stage. Work also has begun the seismic retrofit and renovation of the historic Pioneer Courthouse in Portland, left.



Courthouses in Design

Design work was nearly complete for the new courthouse in Eugene, above, with groundbreaking slated for spring 2004. The new courthouse planned for downtown Los Angeles, left, has been designed and is awaiting funding. In San Diego, below, Chief Judge Marilyn Huff meets with lead architect Michael Palladino and staff.



Portland – Court of Appeals

The Pioneer Courthouse will undergo a major seismic upgrade and historic restoration. Construction has begun and will be completed in late 2006. Circuit judges are temporarily housed in the Hatfield Courthouse.

Las Vegas – District of Nevada

The Foley Federal Building and U.S. Courthouse is under renovation for the bankruptcy court. The scope includes structural reinforcement, hazardous material abatement, fire and life safety additions. The bankruptcy court is expected to move back in the fall of 2004.

Phoenix / Tucson – District of Arizona

The former district courthouse and federal building in Phoenix was completely rebuilt for the bankruptcy court. The project is anticipated to be completed by October 2004. The Walsh courthouse in Tucson is being improved and renovated in a two-phase project. Phase I now under way provides needed tenant improvements so the bankruptcy court can occupy the building at the end of 2004. Phase II will be a major prospectus project addressing additional security criteria and historic renovation.

Courthouses in Design**Eugene – District of Oregon**

Design was under way on a new district courthouse in Eugene. A groundbreaking ceremony is scheduled for April 2004. The 272,274 square foot building will house six courtrooms and chambers for the district court and bankruptcy court, Probation and Pretrial Services, U.S. Marshals Service and GSA.

Los Angeles – Central District of California

Design was completed for a much-needed courthouse in the circuit's largest and busiest district. Plans call for a 20-story, 1,133,025 square foot building to consolidate the court's downtown operations. It will have 54 courtrooms, 60 chambers, a library and underground parking. Funding is pending from Congress.

San Diego – Southern District of California

This district received five new judgeships in 2003 and requires several more to meet a burgeoning caseload. Design is under way for a new 583,746 square foot courthouse in San Diego that will house all district judges. Magistrate judges will remain in the current courthouse.

Courthouses in the Planning**San Jose – Northern District of California**

GSA continues to search for an appropriate and economically feasible building site is continuing.

Yuma, California – Southern District of California

A lease build-to-suit project is being planned for one magistrate courtroom and one shared hearing room for visiting bankruptcy and district judges.

Bakersfield, California – Eastern District of California

GSA is seeking a site for a new magistrate judge appointed in a location where there are no court facilities other than a visiting bankruptcy video-hearing room.

Reno – District of Nevada

GSA intends to sell the C. Clifton Young building, where the bankruptcy court currently resides. A new build-to-suit project is being planned to accommodate their long-term needs for three courtrooms.

Saipan – Northern Mariana Islands

Inadequate security and extreme weather have prompted plans to relocate the district court. GSA has submitted a prospectus lease for approval, and a build-to-suit project is planned.

Ninth Circuit Judicial Conference Celebrates *Marbury v. Madison*

The Ninth Circuit Judicial Conference, held in Hawai'i for the first time since 1995, featured a beautiful setting and richly relevant educational program involving distinguished speakers and panelists from academia, business and the law.

The annual conference is organized pursuant to Title 28 of the U.S. Code, which authorizes the chief judge to summon the judges of the circuit "for the purpose of considering the business of the courts and advising means of improving the administration of justice within the circuit." In the Ninth Circuit, invitations also are extended to lawyer representatives, United States attorneys, federal public defenders, clerks of court and probation and pre-trial officers.

The 2003 Judicial Conference was organized by a Conference Executive Committee chaired by attorney Paul T. Friedman of San Francisco. Circuit Judge Raymond C. Fisher of Pasadena served as the conference program chair. Chief Circuit Judge Mary M. Schroeder of Phoenix presided over the opening session and participated in other parts of the conference.

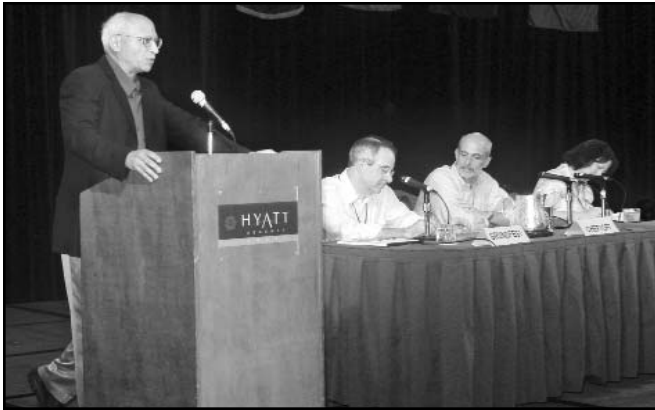
The theme of the conference originated from the Hawaiian word *ho'okupuono*, meaning to behave uprightly or proceed correctly. The general sessions addressed the pressing issues of corporate responsibility and professional ethics, environmental stewardship, and personal health and well being. With 2003 being the 200th anniversary of *Marbury v. Madison*, the conference concluded with an entertaining re-enactment of this historic case.

"Corporate Responsibility: What Went Wrong and How Do We Fix It?" was the first of three sessions on corporate malfeasance, examining how the breakdown of ethical and professional standards contributed to the scandals that rocked major American corporations in recent years. David J. Luban, Esq., Ph.D., a law professor at the Georgetown University Law Center, opened the session with an insightful presentation of how social forces contribute to unethical behavior. A panel discussion followed moderated by Joseph A. Grundfest, a Stanford University law professor and former member of the United States Securities and Exchange Commission and the President's Council of Economic Advisors. Panelists included Michael Chertoff, then an assistant U.S. attorney general, who was subsequently confirmed as a judge of the U.S. Third Circuit Court of Appeals.

In "Professional Ethics: Rethinking Roles and Rules for Professionals," Stephen Gillers, Esq., vice dean of the New York University School of Law, moderated a discussion of the roles and responsibilities of professionals (lawyers, accountants, executives) in preventing corporate misconduct. Panelists included Dennis W. Archer, Esq., the former mayor of Detroit and associate justice of the Michigan Supreme Court, and then incoming president of the American Bar Association.



Acting as the Supreme Court justices in the Marbury re-enactment were Circuit Judges Ann Claire Williams Michael McConnell and Senior Circuit Judge John Noonan. The lawyers, at left, were portrayed by Circuit Judge Michael Hawkins and Seth Waxman, Esq., right.



Professor David Luban of the Georgetown Law Center talks on the breakdown of ethical standards.

The focus on corporate responsibility carried over to the second day of the conference with judges and attorneys gathering at a breakfast to exchange views about issues raised during the previous general session. They also heard remarks from then-Deputy Attorney General Larry D. Thompson of the U.S. Department of Justice.

Shifting focus to environmental stewardship, the conference heard from two renowned marine scientists from Scripps Institution of Oceanography at the University of California, San Diego. Drs. Jeremy Jackson, Ph.D., a professor of oceanography, and Nancy Knowlton, Ph.D., a professor of marine biology, discussed how over-fishing, biological introductions and climate change pose increasing threats to the ecological stability of the oceans.

Circuit Recognizes Award Winners

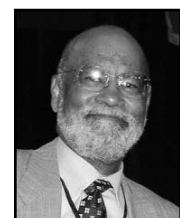
The 2003 Ninth Circuit Judicial Conference saw the unveiling of the John P. Frank Award recognizing an outstanding lawyer practicing in the federal courts of the western United States. The new award is named for the renowned attorney, author, law professor, civil liberties advocate and legal historian from Arizona. Presented posthumously to Mr. Frank, who died in 2002, it was accepted on behalf of his family by Chief Judge Mary M. Schroeder, who was mentored by Mr. Frank as a young attorney and later became his law partner.

Also announced at the conference was the selection of Senior District Judge Thelton E. Henderson of the United States District Court for the Northern District of California as the 2003 recipient of the American Inns of Court Circuit Professionalism Award for the Ninth Circuit. The award recognizes "a senior practicing lawyer or judge whose life and practice display sterling character and unquestioned integrity, coupled with ongoing dedication to the highest standards of the legal profession and the rule of law."

The third and final general session opened with "Toxic Success – Causes and Cures," featuring Dr. Paul Pearsall, Ph.D., a clinical psycho-neuro immunologist at the University of Hawai'i. Based on a 22-year study of some of the most successful people in the world, Dr. Pearsall discussed differences between healthy and toxic success and what this means to overall health.

The Marbury re-enactment featured a stellar cast that included the Ninth Circuit's own Senior Circuit Judge John T. Noonan, Jr., an eminent scholar and writer in the area of judicial review, and Circuit Judge Michael Daly Hawkins, a student of that early era of judicial history. Other participants were Circuit Judge Ann Claire Williams of the Seventh Circuit, Circuit Judge Michael W. McConnell of the Tenth Circuit, and Seth Waxman, Esq., the former U.S. solicitor general. Dr. Maeva Marcus, Ph.D., director and editor of a documentary history of the Supreme Court from 1789-1800, introduced the program.

Judge Hawkins portrayed Levi Lincoln, the U.S. Attorney General at the time under President Thomas Jefferson; and Mr. Waxman portrayed Charles Lee, the former attorney general under President John Adams. They dressed for their parts, donning costumes borrowed from the American Conservatory Theater in San Francisco, while the judges wore their black robes, accented by colorful leis.



Court of Appeals Reports Another Record Year for Case Filings

The United States Court of Appeals for the Ninth Circuit continues to be the busiest in the nation, reporting a record 12,872 cases filed in FY2003, up 12.7 percent from FY2002. Much of the increase is attributable to a continuing surge in immigration appeals that followed the implementation in early 2002 of expedited reviews by the Board of Immigration Appeals (BIA). Attorney General John Ashcroft ordered the changes to clear a backlog of approximately 56,000 immigration cases.

The number of immigration cases appealed to the Court of Appeals has increased by 341 percent since the BIA changes went into effect. In FY2001, 954 immigration cases were filed with the court. The

number increased almost 180 percent in FY2002 to 2,670 cases. The trend continued in FY2003, reaching 4,206 cases, up 57.5 percent over the prior fiscal year.

While the Ninth Circuit Court of Appeals had 21.2 percent of the national appellate filings in FY2003, it had 47.6 percent of all immigration appeals and 43.7 percent of all administrative agency appeals filed. Within the Ninth Circuit, administrative appeals accounted for 33.8 percent of all filings for the fiscal year. All but 155 of the administrative appeals filings were immigration appeals.

Among the 15 districts in the circuit, the Central District of California generated the largest number of



Ninth Circuit Court of Appeals Judges - First row, from left: J. Clifford Wallace, James R. Browning, Mary M. Schroeder, Alfred T. Goodwin, Procter Hug, Jr. Second row: Stephen Reinhardt, William C. Canby, Jr., Jerome Farris, Betty Binns Fletcher, Harry Pregerson, Dorothy W. Nelson, Robert Boochever, Robert R. Beezer. Third row: A. Wallace Tashima, Thomas G. Nelson, Diarmuid F. O'Scannlain, Alex Kozinski, Cynthia Holcomb Hall, David R. Thompson, Pamela Ann Rymer, Andrew J. Kleinfeld, Sidney R. Thomas. Fourth row: Richard C. Tallman, Richard A. Paez, William A. Fletcher, M. Margaret McKeown, Barry G. Silverman, Susan P. Graber, Kim McLane Wardlaw, Raymond C. Fisher, Marsha S. Berzon, Johnnie B. Rawlinson. Not pictured: Herbert Y.C. Choy, Joseph T. Sneed, Otto R. Skopil, Arthur L. Alarcon, Warren J. Ferguson, Melvin Brunetti, John T. Noonan, Jr., Edward Leavy, Stephen Trott, Ferdinand F. Fernandez, Michael Daly Hawkins, Ronald M. Gould.

appeals with 2,345 cases, or 30.5 percent of the total. Centered in Los Angeles, the Central District of California is the busiest district court in the nation.

Pro se cases accounted for 39 percent of all cases filed in the Court of Appeals in FY2003. For the fiscal year, 4,999 cases were filed pro se.

Appellate Panels and Hearings

In FY2003, the Court of Appeals heard oral arguments in about 2,500 cases, while approximately 2,000 cases were decided without argument. Cases terminated in FY2003 totaled 11,220, up 11.7 percent from the prior fiscal year. As of September 30, 2003, 11,277 cases were pending before the court, up 17.2 percent, and amounting to 25.3 percent of the national appellate total.

This caseload was handled by an active appellate bench totaling at year's end 26 circuit judges and 22 senior circuit judges and, sitting by special designation, district judges from within the circuit and circuit judges from other circuits. All told, the court reported 432 panel days during the year with sittings in San Francisco, Pasadena and Seattle, Portland, Honolulu, Anchorage, and the Northern Mariana Islands.

En Banc Hearings

The Court of Appeals relies on limited *en banc* panels to ensure the consistency of law within the Ninth Circuit. *En banc* hearings consist of a panel of 11 judges (the chief circuit judge and 10 circuit judges chosen at random) who rehear a case previously ruled upon by a three-judge panel. Matters will be reheard *en banc* usually to maintain uniformity of the court's laws or for case of exceptional importance.

In calendar year 2003, 972 petitions for rehearing *en banc* were filed, and the court voted to grant rehearing *en banc* in 12 of those cases. After oral hearings, the *en banc* panels issued 19 written opinions in 2003 (that total includes some cases in which rehearing *en banc* was granted in 2002). These *en banc* opinions covered a wide range of issues including civil rights, constitutional law, criminal law, capital habeas corpus, and environmental and immigration laws.

U.S. Supreme Court Review

In its 2002-2003 term ending June 30, 2003, the Supreme Court issued written opinions in 25 cases decided by the Ninth Circuit Court of Appeals. These cases covered a wide variety of issues. The

Caseload Measure	Fiscal Year		Change 2002-2003
	2002	2003	
Filings	11,421	12,872	12.7%
Terminations	10,042	11,220	11.7%
*Pending Cases	9,625	11,277	17.2%

*Total pending cases for fiscal year 2002 revised.

District	# of Appeals	% of Total
Alaska	110	0.9%
Arizona	870	6.8%
C. Calif.	2,345	18.2%
E. Calif.	813	6.3%
N. Calif.	770	6.0%
S. Calif.	540	4.2%
Hawaii	146	1.1%
Idaho	159	1.2%
Montana	242	1.9%
Nevada	542	4.2%
Oregon	479	3.7%
E. Wash.	202	1.6%
W. Wash.	430	3.3%
Guam	20	0.2%
Northern Mariana Islands	23	0.2%
Bankruptcy	221	1.7%
United States Tax Court	49	0.4%
National Labor Relations Board	21	0.2%
Administrative Agencies	4,291	33.3%
Original Proceedings	599	4.7%
Circuit Total	12,872	

reversal rate of the Ninth Circuit for the 2002-2003 term was 75 percent, as compared to a 78 percent reversal rate in the 2001. The overall reversal rate for all cases decided by the Supreme Court for the 2002-2003 term was 73 percent.

Of the 25 circuit cases in which the Supreme Court issued written opinions, six were affirmed and 19 were reversed or vacated. Additionally, seven Ninth Circuit cases were vacated and remanded for further consideration in light of the Supreme Court's own recent decisions, and one case in which the high court dismissed certiorari.

District Courts See Slight Rise in Case Filings

District courts of the Ninth Circuit reported a slight 0.2 percent increase in total case filings for FY2003. The circuit's 15 district courts reported 57,868 new cases, which amounted to 18 percent of the total new case filings nationwide.

Ten district courts reported caseload increases. The U.S. District Court for the Western District of Washington, with divisions in Seattle and Tacoma, has the largest increase at 16 percent. The U.S. District Court for the District of Alaska, which holds court in Anchorage, Fairbanks and several smaller venues, reported a 14 percent increase.

Caseloads declined in five districts. The largest decreases were reported by the U.S. District Court for the District of Guam, where caseloads were down 27 percent, and the U.S. District Court for the Northern District of California, down 14 percent. Caseloads also were down for district courts for the Northern Mariana Islands, the Central District of California, and the District of Idaho.

Criminal Filings

Criminal filings in district courts climbed to 16,040. The 4.6 percent increase was slightly lower than the national increase of 5.4 percent. The greatest number of criminal cases in the district courts involved immigration, 38 percent; drug-related offenses, 21 percent; and fraud, 11 percent.

Immigration filings grew by 17 percent over the year before, while drug and fraud cases fell 9 percent and 7 percent, respectively. The increase in immigration cases is attributed primarily to heightened security at United States ports of entry.

Coincident with the increase in criminal filings was a 4 percent increase in the number of new criminal defendants, which numbered 19,950 in FY2003. Proceedings were concluded against 18,564 defendants, an increase of 9 percent. Of these, 16,522 were convicted (a conviction rate of 89 percent), and 14,198 imprisoned (76 percent).

The greatest number of new criminal cases was reported by the District of Arizona, which opened 4,307. The Southern District of California had 3,562 new criminal cases, followed by the Central District of California with 1,369. In both of the border districts of Arizona and Southern California, immigration comprised the majority of new cases, with 54 percent and 58 percent respectively. Fraud was the largest category of new cases in the Central District of California, at 26 percent.

District Court Filings FY2002-FY2003 Total Criminal and Civil Cases Filed, Terminated, Pending			
Caseload Measure	Fiscal Year		Change 2002-2003
	2002	2003	
Civil Filings	42,425	41,828	-1.4%
Criminal Filings	15,328	16,040	4.6%
Total Filings	57,753	57,868	0.2%
Civil Terminations	42,855	41,441	-3.3%
Criminal Terminations	14,184	15,599	10.0%
Total Terminations	57,039	57,040	0.0%
Pending Civil Cases	*40,014	40,401	1.0%
Pending Criminal Cases	*11,774	12,215	3.7%
Total Pending Cases	*51,788	52,616	1.6%
Civil Case Termination Index (in months)	11.2	11.69	4.4%
Criminal Case Termination Index (in months)	9.96	9.39	-5.7%
Overall Case Termination Index	10.89	11.06	1.6%
Median Months (filing to disposition) Civil Cases	8.9	8.8	-1.1%
Median Months (filing to disposition) Criminal Cases	5.5	5.4	-1.8%
Median Months National Total filing to disposition) Civil Cases	8.7	9.3	6.9%
Median Months National Total disposition) Criminal Cases	6.2	6.2	0.0%

*Revised from original report

Ninth Circuit District Court - Types of Criminal Cases Commenced, 2003 (excludes Transfer Cases)																
General Offenses	Alaska	Ariz.	CAC	CAE	CAN	CAS	Hawaii	Idaho	Mont.	Nev.	Ore.	E. Wash	W. Wash	Guam	NMI	Total
Homicide	0	73	4	2	1	3	1	6	10	4	3	1	3	0	1	112
Robbery	3	9	40	15	15	16	20	7	1	19	48	9	19	0	0	221
Assault	5	78	10	12	12	16	21	7	15	14	3	2	29	2	0	226
Burglary	0	3	0	0	0	0	5	0	7	0	1	0	0	0	0	16
Larceny	27	128	112	43	49	15	40	9	9	15	46	11	184	12	1	701
Embezzlement	7	4	25	8	33	7	3	4	7	22	16	7	26	4	0	173
Fraud	33	104	361	161	124	493	31	16	35	112	63	23	102	16	4	1,678
Weapons & Firearms	30	191	97	68	101	18	71	56	75	174	139	80	61	5	4	1,170
Forgery And Counterfeiting	2	12	74	9	24	8	4	5	5	11	9	12	8	5	0	188
Drug Law s	61	1128	161	141	111	834	160	36	97	71	114	199	235	38	12	3,398
Traffic	17	9	0	6	40	0	203	0	62	0	0	3	310	0	0	650
Escape	0	22	7	3	9	19	4	0	2	9	13	6	4	0	0	98
Other	5	93	87	53	40	31	24	19	76	62	47	12	148	2	3	702
General Offenses Total	190	1,854	978	521	559	1,460	587	165	401	513	502	365	1,129	84	25	9,333
Special Offenses																
Immigration Law s	10	2,336	313	401	179	2,067	2	80	36	188	252	134	39	19	0	6,056
Agricultural Acts	4	20	3	4	2	0	2	3	12	2	0	5	1	0	0	58
Postal Law s	1	2	8	1	7	0	0	0	1	9	1	0	7	0	0	37
Other	23	95	67	19	52	35	20	6	16	14	19	11	39	5	1	422
Special Offenses Total	38	2,453	391	425	240	2,102	24	89	65	213	272	150	86	24	1	6,573
All Offenses Total	228	4,307	1,369	946	799	3,562	611	254	466	726	774	515	1,215	108	26	15,906

Civil Filings

Civil case filings in Ninth Circuit district courts declined by 1.4 percent to 41,828. This was a less dramatic drop than the 8 percent decline reported nationwide. Private civil cases accounted for 77 percent of the total, while cases in which the United States acted as plaintiff or defendant comprised 23 percent. Prisoner petitions made up 26 percent of private civil cases and 23 percent of U.S. civil cases.

Social security filings climbed 25 percent over FY2002. These cases now constitute the largest category of U.S. civil filings in the circuit and 35 percent of the total civil caseload. Among private civil cases, civil rights was the largest category with 21 percent, followed by habeas corpus prisoner petitions, 13 percent, and contract disputes, 13 percent.

The Central District of California reported the largest number of civil cases, with 12,633, followed by the Northern District of California, 5,931, and the Eastern District of California, 4,508.

The Central District of California also led the way in the number of private civil cases filed in the circuit with 9,243. Many of the private civil filings in this district were for civil rights with 1,653, followed by habeas corpus, 1,595, and contracts cases, 1,438. The

Northern District of California reported the second highest number of private civil filings, with 5,146, followed by the Western District of Washington, with 3,545.

Eight of the 15 districts in the circuit reported a drop in civil filings: Arizona, Hawaii, Idaho, Guam, Northern Mariana Islands, and the Northern, Central and Southern Districts of California. The remaining districts all reported increases in civil filings, with the Western District of Washington experiencing the greatest rise, by 24 percent.

Courts Report Fewer Bankruptcy Filings

Bankruptcy courts in the Ninth Circuit continue to be among the busiest in the nation, reporting 285,230 total filings in FY2003, a 2 percent increase over the prior fiscal year. The U.S. Bankruptcy Court for the Central District of California once again led the nation in filings, even though its total caseload declined from the prior fiscal year. Nationally, bankruptcy filings rose by 7.4 percent, reaching 1,661,996 cases in FY2003, a record for a 12-month period.

Non-Business Filings

Non-business bankruptcy filings in the Ninth Circuit totaled 276,467 and comprised about 97 percent of the circuit's total bankruptcy caseload. Non-business Chapter 7 filings were the largest single category of filings with 228,373, up 3.4 percent from the prior fiscal year. Non-business Chapter 7 cases accounted for 80 percent of all filings.

The second largest category of filings in the Ninth Circuit was non-business Chapter 13 cases, with 47,900 filings, or 17 percent of the total. Non-business Chapter 13 filings fell 2.3 percent in 2003.

Non-business Chapter 11 bankruptcies, which represent only a small fraction of the total of non-business bankruptcies in the circuit, decreased in 2003 to 194 cases from 272 in the prior fiscal year.

Business Filings

Bankruptcy filings by businesses totaled 8,743 and accounted for 3 percent of all bankruptcy cases in the Ninth Circuit in 2003. A majority of these, 5,217 cases, were filed under Chapter 7, down 5.2 percent from FY2002.

Chapter 13 business filings in 2003 totaled 1,968, up 6.1 percent over the 2002 total of 1,854. Business bankruptcies filed under Chapter 11 fell sharply, from 1,891 in FY2002 to 1,434 last year, a decrease of 24.2 percent. Business filings under Chapter 12, which constitute a small fraction of the overall bankruptcy filings, increased to 124 cases from 58 in FY2002.

Districts with Large Numbers of Filings

The U.S. Bankruptcy Court for the Central District of California, the nation's largest bankruptcy court, once again posted the largest number of filings in the nation, 79,250 cases. However, the Central District's caseload actually declined by 6.7

Bankruptcy Cases Commenced, by Chapter of the Bankruptcy Code for the 12-Month Period Ended September 30, 2003.

Caseload Measure	Fiscal Year		Change 2002-2003
	2002	2003	
Filings			
Business Chapter 7	5,502	5,217	-5.2%
Business Chapter 11	1,891	1,434	-24.2%
Business Chapter 12	58	124	113.8%
Business Chapter 13	1,854	1,968	6.1%
Non-Business Chapter 7	220,932	228,373	3.4%
Non-Business Chapter 11	272	194	-28.7%
Non-Business Chapter 13	49,036	47,900	-2.3%
*Total	279,561	285,230	2.0%
Terminations	266,771	284,395	6.6%
Pending Cases	224,839	225,674	0.4%

*This figure includes cases not reflected elsewhere.

percent from FY2002, when 84,936 filings were reported. Chapter 7 cases, both business and non-business, made up the majority of filings in the Central District.

The U.S. Bankruptcy Court for the District of Arizona had the next largest number of filings in the Ninth Circuit with 31,994, an 11.3 percent increase over its FY2002 total. Trailing only slightly was the Eastern District of California with 31,791 bankruptcy filings, up about 1.1 percent, and the Western District of Washington, which had 30,305 filings, up 6.9 percent from the previous year.

Other districts with the large percentage increases in bankruptcy filings were the District of Idaho (up 10.9 percent with 9,630 filings compared to 8,686 in 2002), the Northern District of California (up 9.9 percent with 22,760 filings versus 20,719 in the prior year), and the District of Nevada (up 8.3 percent with filings 20,689 compared to 19,095 in 2002).

Terminations and Pending Cases

The circuit experienced an increase in bankruptcy case terminations in FY2003. All told, 284,395 were closed, up 6.6 percent from the 266,771 cases closed in FY2002. The number of pending cases was 225,674, up a scant 0.4 percent from the 224,839 cases pending at the end of FY2002.

U.S. District Courts											
Weighted and Unweighted Filings Per Authorized Judgeship, Criminal Felony Defendants Only, 2003											
District	Unweighted Filings Per Judgeship					Weighted Filings Per Judgeship					
	Authorized Judgeships	Civil	Criminal	Supervised Release Hearings	Total	Civil	Criminal	Supervised Release Hearings	2003 Weighted Total	2002 Weighted Total	Change 2002-2003
Alaska	3	125	84	12	221	112	148	3	263	211	24.6%
Arizona	13	249	360	97	706	223	448	24.25	695	710	-2.1%
C. Calif.	28	430	69	25.89	525	395	106	6.47	507	513	-1.1%
E. Calif.	7	617	175	49.14	841	469	252	12.29	733	692	6.0%
N. Calif.	14	410	70	23.36	503	432	106	5.84	544	513	6.0%
S. Calif.	13	194	306	140.38	640	202	374	35.1	611	1,021	-40.1%
Hawaii	4	185	117	28.75	331	216	204	7.19	427	427	0.0%
Idaho	2	275	152	21.5	449	262	232	5.38	499	554	-9.9%
Montana	3	231	173	22.33	426	205	303	5.58	514	469	9.5%
Nevada	7	342	119	20.57	482	342	170	5.14	517	489	5.8%
Oregon	6	373	150	48.17	571	345	213	12.04	570	550	3.6%
E. Wash.	4	192	127	45.25	364	153	192	11.31	356	329	8.3%
W. Wash.	7	439	109	36.14	584	459	183	9.04	651	682	-4.5%
Circuit Total	111	4,062	2,011	570	6,643	3,815	2,931	143	6,889	7,160	-3.8%
Circuit Mean	***	312	155	44	511	293	225	11	530	551	-3.8%
Circuit Median	***	275	127	28.75	503	262	204	7.19	517	513	0.8%
National Mean	676	345	119	23.76	487	331	186	5.94	523	521	0.4%

Note: Case weights are based on the 1987-1993 district court time study conducted by the Federal Judicial Center. This table excludes civil cases arising by reopening, remand, or transfer to the district by the order of the Judicial Panel on Multidistrict Litigation. Transfers and reopens of felony defendants are included. This table excludes data for the territorial courts.

Beginning October 1, 2001, data are reported for supervised release revocation hearings previously not presented in this table.

Weighted Filings Per Judgeship

Since 1972, a system of weighting cases has been used by the federal judiciary to accurately compare judicial time required to handle cases. The statistical benchmark for determining the need for additional judgeships is a weighted caseload in excess of 430 cases per judgeship. In the Ninth Circuit, in 2003 the circuit mean was 530 weighted cases per judgeship, with 10 districts reporting a weighted caseload in excess of 430. The national mean was 523.

The highest number of filings per judgeship in the circuit occurred in the Eastern District of California, with 733, followed by the District of Arizona, with 695, and the Western District of Washington, with 651.

Case Processing Times

The federal judiciary measures case processing times with the Case Termination Index. The index computes how long it would take to clear the pending caseload if the current termination rate remained constant. In 2003, overall case processing times rose slightly—by 2 percent. This reflects a 6 percent decline in case processing times for criminal cases and an increase of 4 percent for civil cases.

The Ninth Circuit fared well for the median processing time from the filing of a case to disposition, with the median time dropping 1 percent to 8.8 months for civil cases and dropping 2 percent to 5.4 months for criminal cases. This compares favorably to the nationwide median time of 9.3 months for civil and 6.2 months for criminal cases.

BAP Hears Majority of Bankruptcy Appeals

All district courts within the Ninth Circuit have issued general orders providing for the automatic referral of bankruptcy appeals to the Bankruptcy Appellate Panel (BAP) for disposition. However, if any party files a timely election to have the appeal heard by a district court, the appeal is transferred according to the consent rule. Seven bankruptcy judges are authorized by the Ninth Circuit Judicial Council to serve on the BAP. During the past year, one position has intentionally been held vacant due to a reduced workload based on new filings.

New Filings

For the FY2003, which ended September 30, 2003, 828 new appeals were filed; BAP handled 52 percent of all bankruptcy appeals, while 48 percent were heard in district courts (see table). Of the new filings in FY2003, BAP handled 428, compared with 531 in the prior fiscal year. Historically, the BAP has handled closer to 60% of the appeals. During the reporting period, a case from the Central District of California resulted in 41 appeals and each went to the district court. This skewed the historic average and is considered a one-time occurrence.

Dispositions

The BAP disposed of 450 appeals in FY2003. Of those, 150 appeals were terminated on the merits. Oral argument was heard in 129 appeals, while 21 appeals were decided on briefs. Of the 150 decisions, 40 were published opinions. The reversal rate was 22.7 percent. The median time for an appeal decided on the merits was 9.2 months. The remaining 300 appeals were terminated on procedural grounds, such as for lack of prosecution, lack of jurisdiction, consolidation, or based on voluntary dismissal. The BAP ended the period with 218 appeals pending (down 9.2% from the prior year.)

Appeals to the Ninth Circuit

Appeals from a decision of either the BAP or district court may be filed with the Court of Appeals for second-level appellate review. For the 12-



Judges of the Bankruptcy Appellate Panel. Seated, from left: Judge Elizabeth L. Perris, Chief Judge John E. Ryan, Judge Philip H. Brandt. Standing, from left: Judge James M. Marlar, Judge Christopher M. Klein, Judge Dennis Montali

month period, 221 appeals were filed. Of these, 91 were appeals from decisions by the BAP and 130 were from decisions by the district courts. Thus, for the 450 appeals disposed of by the BAP during the fiscal year, 80 percent were fully resolved with only about 20 percent seeking second-level review.

District	Bankruptcy Appellate Panel	District Court	Total
Alaska	1	6	7
Arizona	38	48	86
C. Cal.	181	117	298
E. Cal.	43	36	79
N. Cal.	63	53	116
S. Cal.	26	25	51
Hawaii	1	10	11
Idaho	15	7	22
Montana	8	6	14
Nevada	9	40	49
Oregon	10	9	19
E. Wash.	7	4	11
W. Wash.	26	39	65
Totals	428	400	828
	52%	48%	100%

Matters Disposed of by Ninth Circuit Magistrate Judges FY2002 and FY2003			
Activity	2002	2003	Percent Change 2002-2003
Total Matters	168,105	181,009	7.7%
Preliminary Proceedings	76,046	83,230	9.4%
Search Warrants	6,807	7,953	16.8%
Arrest Warrants/Summonses	5,695	6,151	8.0%
Initial Appearances	22,545	24,501	8.7%
Preliminary Examinations	4,617	5,355	16.0%
Arraignments	15,507	16,162	4.2%
Detention Hearings	12,962	14,130	9.0%
Bail Reviews/Nebbia Hearings	3,306	3,582	8.3%
Other	4,607	5,396	17.1%
Trial Jurisdiction Cases	18,376	17,682	-3.8%
Class A Misdemeanors	1,922	2,480	29.0%
Petty Offenses	16,454	15,202	-7.6%
Civil Consent	2,705	3,237	19.7%
Without Trial	2,538	3,144	23.9%
Jury Trial	40	48	20.0%
Nonjury Trial	127	45	-64.6%
Additional Duties			
Criminal	21,967	26,732	21.7%
Motions 636(b)(1)(A)	8,464	11,642	37.5%
Motions 636(b)(1)(B)	687	725	5.5%
Evidentiary Hearings	112	188	67.9%
Pretrial Conferences	1,482	1,936	30.6%
Probation/Supervised Release	1,139	1,304	14.5%
Guilty Pleas	4,799	5,297	10.4%
Other	5,284	5,640	6.7%
Civil	30,795	31,277	1.6%
Settlement Conferences	4,668	4,443	-4.8%
Other Pretrial Conferences	4,225	4,152	-1.7%
Motions 636(b)(1)(A)	18,541	19,710	6.3%
Motions 636(b)(1)(B)	1,595	1,416	-11.2%
Evidentiary Hearings	32	24	-25.0%
Social Security	832	682	-18.0%
Special Masterships	28	39	39.3%
Other	874	811	-7.2%
Prisoner Litigation	6,044	6,007	-0.6%
State Habeas	3,176	3,231	1.7%
Federal Habeas	602	511	-15.1%
Civil Rights	2,234	2,225	-0.4%
Evidentiary Hearings	32	40	25.0%
Miscellaneous Matters	12,172	12,844	5.5%

. Before 2000, category included contested motions only. Beginning in 2000, uncontested motions were added.

. Before 2000, category did not include status conferences. Beginning in 2000, status conferences were added.

. Category includes writs, mental competency hearings, and motion hearings.

. Category includes fee applications, summary jury trials, and motion hearings.

. Category includes material witness hearings and attorney appointment hearings.

. Before 2000, this category included seizure/inspection warrants and orders of entry; judgment debtor exams; extradition hearings; contempt proceedings; Criminal Justice Act fee applications; naturalization proceedings; grand jury returns; civil and criminal IRS enforcement proceedings; calendar calls; and voir dire. Beginning in 2000, civil and criminal other jury matters and international prisoner transfer proceedings were added.

Magistrate Judges See Duties Expand

Magistrate judges provide judicial assistance to district judges, helping the courts contend with growing caseloads. They have a wide range of duties, including overseeing civil and criminal motions, arraignments, pretrial and settlement conferences, Social Security cases, evidentiary hearings, and prisoner litigation. Increasingly, magistrate judges preside over an entire civil trial after consent has been given by both parties.

Ninth Circuit magistrate judges were busier than ever in FY2003. They performed 181,009 judicial duties, an increase of nearly 8 percent over the year before, according to figures released by the Administrative Office of the Courts (AO). The upturn was most apparent in civil consent cases, up 20 percent, and evidentiary hearings, which jumped almost 68 percent. The AO reports a 16 percent increase in preliminary hearings for FY2003, while detention hearings rose 9 percent and search warrants climbed 17 percent.

On the civil side, magistrate judges were assigned to 3,237 consent cases. Civil cases without a trial (such as Social Security) made up the largest number of consent cases. However, the number of consent cases in which a jury trial was requested rose 20 percent, while consent cases without a jury trial request fell by 65 percent.

Criminal Duties

The number of criminal motions handled by magistrate judges increased significantly in FY2003. The number of 636(b)(1)(A) motions rose nearly 38 percent to 11,642; 636(b)(1)(B) motions climbed 6 percent to 725; guilty pleas rose 10 percent to 5,297, and pretrial conferences rose 31 percent to 1,936. Significant increases also occurred in the number of probation/supervised release hearings, up 15 percent to 1,304 hearings. Of all magistrate judge duties, the largest percentage increase occurred in criminal evidentiary hearings, one of the more time-consuming duties. Criminal evidentiary hearings rose by 68 percent in 2003, up from 112 to 188.

Preliminary proceedings made up the largest category of magistrate judge duties (46 percent) with a total of 83,230, a 9 percent increase over 2002. Of these, initial appearances comprised the largest category, with 24,501, accounting for 29 percent. Arraignments, the second largest category of preliminary proceedings, rose 4 percent to 16,162. Detention hearings, also among the lengthiest of felony preliminary proceedings, climbed 9 percent.

Civil Duties

The number of civil duties handled by magistrate judges in the Ninth Circuit rose 2 percent in 2003 to 31,277 cases. Civil motions, which numbered 21,126 for the year, accounted for 68 percent of all civil duties. Settlement conferences and pretrial conferences comprised 28 percent of civil duties in 2003.

The largest percentage increases in civil duties occurred in the number of civil consent cases and special masterships. Civil consent cases rose by 20 percent, from 2,705 to 3,237. The Central District of California, with 911 consent cases, terminated the largest number of civil consent cases, while the Northern District of California terminated 659. Civil consent cases without trials increased by 24 percent, from 2,538 to 3,144, while non-jury trials declined by 65 percent, from 127 to 45. The District of Hawaii experienced the largest rise in civil consent cases due primarily to 230 cases related to a class action lawsuit brought against the state.

The number of special mastership cases climbed 39 percent, up from 28 in FY02 to 39 in FY03. At the same time, civil evidentiary hearings dropped 25 percent.

Magistrate judges oversaw 1 percent fewer habeas matters, although reports and recommendations in state habeas petitions rose 2 percent, and prisoner evidentiary proceedings climbed 25 percent. Total federal habeas cases dropped by 15 percent.

Federal Defenders Report Caseload Decline

The Office of the Federal Public Defender was created by Congress to fulfill a constitutional requirement that indigents charged with federal crimes be provided with professional legal representation at no cost. The U.S. Criminal Justice Act requires a federal public defender (FPD) or community defender organization in districts in which at least 200 persons annually need appointed counsel. Ten of the 15 judicial districts within the Ninth Circuit are served by an FPD, who is appointed by the Court of Appeals and oversees a staff of judiciary employees. Four other districts are served by non-profit community defender organizations staffed by non-government employees.*

New Cases Decline in Ninth Circuit

New defender cases declined in the Ninth Circuit in FY2003, the first downturn in nine years. New cases dropped by 5 percent to 23,539 from 24,780 in FY2002. The most significant decrease occurred in the District of Arizona, which reported 3,910 new cases, 33.5 percent less than the prior fiscal year.

The decrease in Arizona in 2003 reflected changing priorities for the U.S. Attorney, who shifted the prosecutorial emphasis from the more numerous, but less demanding petty offenses to more serious and more time-consuming felonies and misdemeanors arising out of illegal immigration. Petty offenses dropped from 66 percent of the district's total caseload in FY2002 to 29 percent in FY2003. Immigration-related felonies and misdemeanors, meanwhile, rose from 9.2 percent of the total caseload to 17.5 percent.

Nine judicial districts in the circuit reported increases in new defender cases in FY03. The District of Idaho led that group with 44.1 percent more new cases, followed by the District of Alaska, which reported a 43.4 percent increase in new cases. Nationally, new defender cases rose 12.6 percent, with the Ninth Circuit accounting for 26.5 percent of the total.

California, Arizona Report Highest Caseloads

The Southern District of California had the most new defender cases in FY2003. The community defender organization there reported 5,688 new cases, down 1.1 percent from 2002. Immigration and drug cases comprised 58 and 23.4 percent, respectively, of all criminal filings in the district.

While Arizona reported fewer new defender cases in FY03, it still had the second highest number of cases within the circuit, with 3,910. Immigration and drug cases comprised 54.2 and 26.2 percent, respectively, of all criminal filings in the district.

Pending and Closed Cases

Overall, the circuit experienced a rise of 3.6 percent in FY03 in its pending defender caseload, reaching 7,944. At the same time, the number of cases closed fell 5.6 percent to 23,247.

* The District of the Northern Mariana Islands is not served by a defender organization.

Federal Defender Organizations Summary of Representations FY2003				
District	Opened 9/30/02	Opened 9/30/03	Closed 9/30/03	Pending 9/30/03
Alaska	249	357	327	96
Arizona	5,878	3,910	3,730	1,019
C. Calif.	3,278	3,521	3,535	1,289
E. Calif.	1,896	2,188	2,103	777
N. Calif.	867	930	985	468
*S. Calif.	5,756	5,688	5,788	1,143
Guam	125	109	125	48
Hawaii	697	701	638	546
*Idaho	188	271	249	127
*Montana	403	554	537	216
Nevada	1,320	1,260	1,185	676
Oregon	1,365	1,582	1,611	827
*E. Wash.	687	750	696	273
W. Wash.	2,071	1,718	1,738	439
Circuit Total	24,780	23,539	23,247	7,944
National Total	79,001	88,925	87,252	31,375
Circuit Total % of National Total	31.4%	26.5%	26.6%	25.3%

*Community Defender Organizations (E. Wash. - Idaho combined)

Northern Mariana Islands is not served by a defender organization.

Circuit Ranks First in New Pretrial Cases

Pretrial Services officers provide bail reports to judges who decide whether to detain or release defendants prior to court proceedings. They also closely monitor those defendants who are released to their supervision. The mission of each Pretrial Services office is to assist the court in reducing the rate of unnecessary detentions, while at the same time reasonably ensuring the safety of the community and future appearances of defendants.

Case Activations, Bail Investigations, Supervisions

The Ninth Circuit ranked first nationally in the number of new pretrial cases in FY2003 with 23,798, up 2.5 percent from the previous year; this figure amounted to 26 percent of all new cases nationwide. The highest levels of case activations were in the Districts of Arizona (7,337), Southern California (5,432), Central California (2,703) and Western Washington (1,560).

The number of pretrial bail reports submitted increased by 1.7 percent over FY2002. Officers recommended detention in 61.5 percent of all cases, the same percentage reported the year prior. At the same time, offices of the U.S. Attorney in the circuit recommended detention in 63.0 percent of all cases in FY2003, down slightly from the 63.8 reported in FY2002.

In FY2003, 6,293 defendants were released for pretrial services supervision in the Ninth Circuit, down slightly from FY2002. Of the total, 4,862 were released on standard pretrial services supervision, 1,238 were supervised on a courtesy basis from another district/circuit, and 193 were on pretrial diversion caseloads. All categories experienced slight decreases from those supervised in 2002.

Non-appearance and Re-arrest Rates

The rates of defendant non-appearance and re-arrest in the Ninth Circuit were significantly low in FY2003. There were a total of 2,347 violations of bond conditions, a slight decrease from FY2002. Of these, 1,469 occurred pre-adjudication, 755 pre-sentence, and 123 while pending self-surrender to custody. Those defendants found to be in violation totaled 1,229, a 3 percent decrease from FY2002. Of these, 201 had committed new offenses, while the remaining defendants were involved in technical violations.

District	Defendant Contact			Written Reports		FY2002	FY2003	Change 2002-2003
	Interviewed	Not Interviewed	Refused Interview	Prebail	Postbail & Other	Total Cases Activated	Total Cases Activated	
Alaska	190	42	67	295	0	209	299	43.1%
Arizona	1,877	5,391	69	7,046	194	6,805	7,337	7.8%
C. Calif.	2,035	123	545	2,645	19	2,913	2,703	-7.2%
E. Calif.	374	132	677	1,164	15	1,078	1,183	9.7%
N. Calif.	405	833	19	642	416	1,223	1,257	2.8%
S. Calif.	505	38	4,889	4,292	1,121	5,466	5,432	-0.6%
Hawaii	375	142	5	508	5	476	522	9.7%
Idaho	353	7	1	356	4	354	361	2.0%
Montana	306	172	9	461	8	441	487	10.4%
Nevada	514	51	457	985	28	1,022	1,022	0.0%
Oregon	394	40	539	946	4	920	973	5.8%
E. Wash.	204	113	183	231	208	511	500	-2.2%
W. Wash.	483	925	152	1,554	2	1,656	1,560	-5.8%
Guam	78	48	5	76	13	111	131	18.0%
N. Mariana Is.	26	5	0	18	2	39	31	-20.5%
Circuit Total	8,119	8,062	7,617	21,219	2,039	23,224	23,798	2.5%
National Total	66,824	16,191	12,477	83,798	8,288	89,421	95,492	6.8%
% of National	12.1%	49.8%	61.0%	25.3%	24.6%	26.0%	24.9%	-4.0%

Probation Caseload Held Steady in FY03

The United States Probation Office is responsible for pre-sentence investigations and reports that assist judges in determining punishment for convicted offenders. Probation officers also supervise convicted offenders who have been placed on probation, supervised release and parole, and persons allowed conditional release pending mental competency proceedings.

Persons Under Supervision

At the end of FY03, there were 19,660 persons under supervision in the Ninth Circuit. This represents a 0.6 percent decrease from FY02, which is attributed to the Early Termination Program initiated by the Judicial Conference of the United States.

The Ninth Circuit accounted for 17.8 percent of the national total of 110,621 persons under supervision. This was an increase of 1.7 percent from FY02.

Among judicial districts of the Ninth Circuit, the Central District of California had the largest number of persons under supervision with 5,847, up 5.6 percent from the prior fiscal year. The District of Arizona has 2,746 persons under supervision,

although its caseload actually declined by nearly 7 percent from FY2002. The Southern District of California ranked third with 1,882 persons under supervision, down 7.8 percent from FY02.

Drug offenses continue to account for the majority of cases under supervision in the Ninth Circuit and nationally. In FY03, drug law violations accounted for 7,665 persons, or 39 percent of the total number of persons under supervision in the Ninth Circuit.

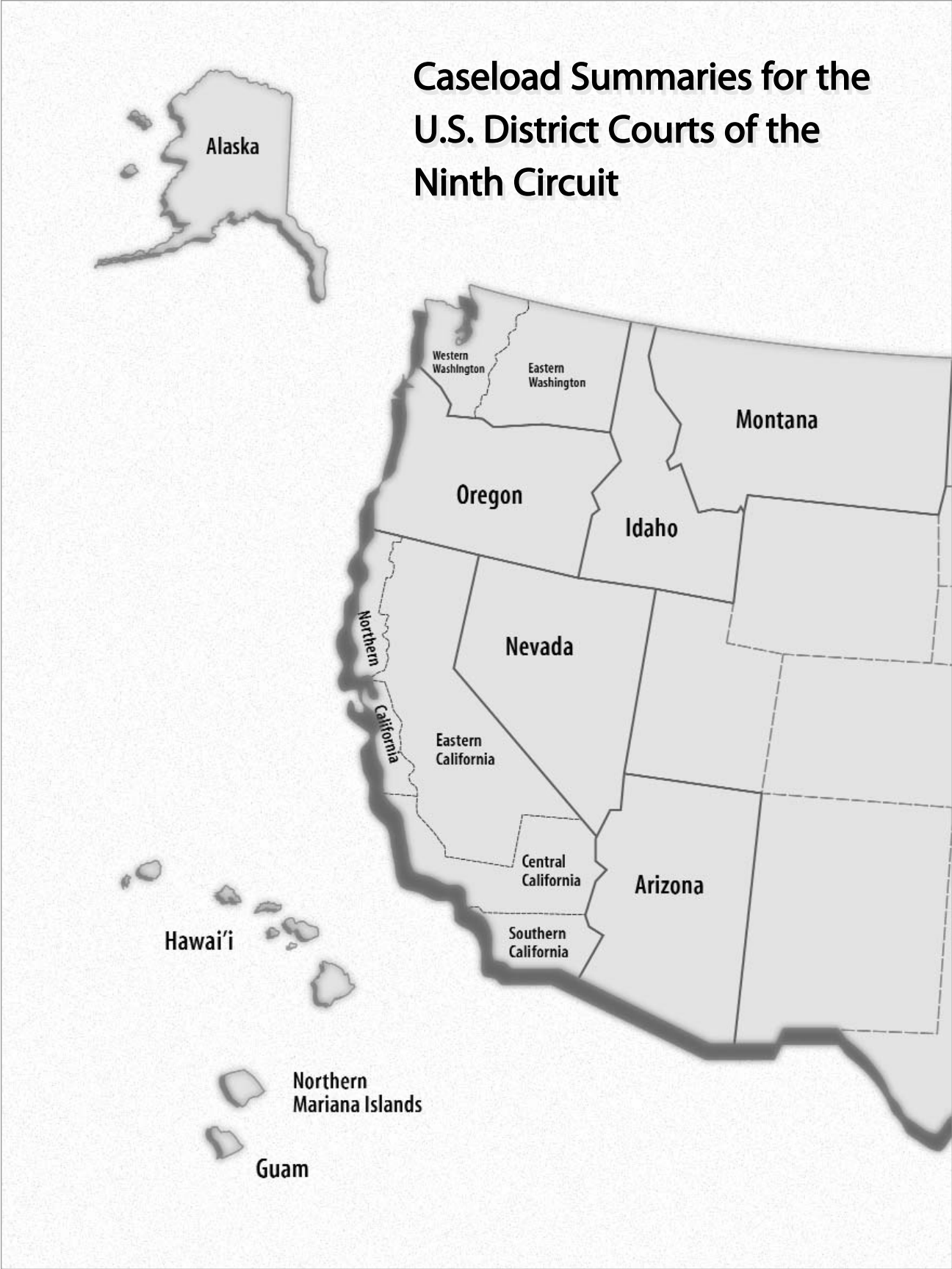
Revocation Rates

The national average rate of revocations – the return of a parolee to prison for failure to abide by the conditions of parole – held steady at 22.9 percent in FY03. Technical violations (19.4 percent), major crimes (9.3 percent) and minor crimes (1.4 percent) were most common causes of revocation. The Ninth Circuit revocation rate was 28.8 percent, up 0.9 percent from the prior fiscal year. Border districts had the highest revocation rates. The District of Arizona had a revocation rate of 40 percent among its active cases and 21 percent among its large inactive caseload of supervised releasees who have been deported, then return and face revocation.

The three districts with the lowest revocation rates were the Northern District of California, Guam, and Alaska with 16, 17 and 19 percent, respectively.

Ninth Circuit Probation System							
Persons Under Supervision by District as of September 30, 2003							
District	Referred by U.S. Courts		Referred by Institutions		FY2002 Cases	FY2003 Cases	Change FY02-FY03
	District Judge Probation	Magistrate Judge Probation	Supervised Release	Other			
Alaska	72	34	170	2	276	278	0.7%
Arizona	843	253	1,596	54	2,943	2,746	-6.7%
C. Calif.	1,283	151	4,164	249	5,539	5,847	5.6%
E. Calif.	257	196	1,027	48	1,598	1,528	-4.4%
N. Calif.	383	213	962	67	1,754	1,625	-7.4%
S. Calif.	200	26	1,619	37	2,042	1,882	-7.8%
Hawaii	115	57	473	5	633	650	2.7%
Idaho	104	24	214	11	342	353	3.2%
Montana	171	30	367	9	580	577	-0.5%
Nevada	254	44	654	71	1,033	1,023	-1.0%
Oregon	257	27	746	47	1,021	1,077	5.5%
E. Wash	78	8	331	7	413	424	2.7%
W. Wash.	219	183	967	74	1,395	1,443	3.4%
Guam	45	0	106	2	147	153	4.1%
N. Mariana Is.	15	0	39	0	53	54	1.9%
Circuit Total	4,296	1,246	13,435	683	19,769	19,660	-0.6%

Caseload Summaries for the U.S. District Courts of the Ninth Circuit



District of Alaska				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	545	623	14.3%	208
Terminations	671	725	8.0%	242
*Pending	615	513	-16.6%	171
Bankruptcy Court				
Filings	1,432	1,541	7.6%	771
Terminations	1,398	1,535	9.8%	768
Pending	1,403	1,409	0.4%	705
Authorized Judgeships		Authorized places of holding court: Anchorage, Fairbanks, Juneau, Ketchikan, Kodiak, Nome		
District	3			
Senior	3			
Bankruptcy	2			
Magistrate				
Full time	2			
Part-time	4			

*Total pending cases revised for 2002 fiscal year.

District of Arizona				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	7,128	7,653	7.4%	589
Terminations	6,665	7,721	15.8%	594
*Pending	5,787	5,719	-1.2%	440
Bankruptcy Court				
Filings	28,738	31,994	11.3%	4,571
Terminations	24,967	26,538	6.3%	3,791
Pending	31,052	36,508	17.6%	5,215
Authorized Judgeships		Authorized places of holding court: Flagstaff, Phoenix, Prescott, Tucson, Yuma		
**District	13			
Bankruptcy	7			
Magistrate				
Full time	12			
Part-time	0			

*Total pending cases revised for 2002 fiscal year.

**Includes temporary judgeship effective July 15, 2003.

Central District of California				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	14,851	14,036	-5.5%	501
Terminations	16,364	15,197	-7.1%	543
*Pending	14,366	13,205	-8.1%	472
Bankruptcy Court				
Filings	84,936	79,250	-6.7%	3,774
Terminations	86,942	82,781	-4.8%	3,942
Pending	45,549	42,018	-7.8%	2,001
Authorized Judgeships		Authorized places of holding court: Los Angeles, Riverside, Santa Ana		
**District	28			
Bankruptcy	21			
Magistrate				
Full time	20			
Part-time	2			

*Total pending cases revised for 2002 fiscal year.

**Includes temporary judgeship effective July 15, 2003.

Eastern District of California				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	5,140	5,466	6.3%	781
Terminations	5,082	4,961	-2.4%	709
*Pending	5,770	6,275	8.8%	896
Bankruptcy Court				
Filings	31,455	31,791	1.1%	5,299
Terminations	31,026	32,015	3.2%	5,336
Pending	21,924	21,700	-1.0%	3,617
Authorized Judgeships		Authorized places of holding court: Fresno, Redding, Sacramento		
District	7			
Senior	3			
Bankruptcy	6			
Magistrate				
Full time	8			
Part-time	3			

*Total pending cases revised for 2002 fiscal year.

Northern District of California				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	7,873	6,739	-14.4%	481
Terminations	6,681	6,912	3.5%	494
*Pending	8,033	7,860	-2.2%	561
Bankruptcy Court				
Filings	20,719	22,760	9.9%	2,529
Terminations	21,050	22,615	7.4%	2,513
Pending	23,325	23,470	0.6%	2,608
Authorized Judgeships		Authorized places of holding court: Eureka, Monterey, Oakland, San Francisco, San Jose, Santa Rosa		
District	14			
Senior	4			
Bankruptcy	9			
Magistrate				
Full time	10			
Part-time	1			

*Total pending cases revised for 2002 fiscal year.

Southern District of California				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	6,392	6,399	0.1%	492
Terminations	6,244	6,308	1.0%	485
*Pending	3,542	3,633	2.6%	279
Bankruptcy Court				
Filings	12,844	12,329	-4.0%	3,082
Terminations	14,465	13,740	-5.0%	3,435
Pending	10,419	9,008	-13.5%	2,252
Authorized Judgeships		Authorized places of holding court: El Centro, San Diego		
**District	13			
Senior	5			
Bankruptcy	4			
Magistrate				
Full time	10			
Part-time	0			

*Total pending cases revised for 2002 fiscal year.

District of Guam				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	214	156	-27.1%	156
Terminations	188	130	-30.9%	130
*Pending	179	205	14.5%	205
Bankruptcy Court				
Filings	400	343	-14.3%	343
Terminations	369	319	-13.6%	319
Pending	224	248	10.7%	248
Authorized Judgeships		Authorized place of holding court: Hagatna		
District	1			
Senior	0			
Bankruptcy	0			
Magistrate				
Full time	0			
Part-time	0			

The Guam district judge also handles all bankruptcy cases.

District of Hawaii				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	1,288	1,385	7.5%	346
Terminations	1,343	1,894	41.0%	474
*Pending	1,885	1,376	-27.0%	344
Bankruptcy Court				
Filings	4,684	3,908	-16.6%	3,908
Terminations	4,819	4,110	-14.7%	4,110
Pending	2,768	2,566	-7.3%	2,566
Authorized Judgeships		Authorized place of holding court: Honolulu		
District	4			
Senior	2			
Bankruptcy	1			
Magistrate				
Full time	3			
Part-time	2			

*Total pending cases revised for 2002 fiscal year.

District of Idaho				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	853	831	-2.6%	416
Terminations	867	818	-5.7%	409
Pending	898	911	1.4%	456
Bankruptcy Court				
Filings	8,686	9,630	10.9%	4,815
Terminations	8,251	9,469	14.8%	4,735
Pending	7,697	7,858	2.1%	3,929
Authorized Judgeships		Authorized places of holding court: Boise, Coer d'Alene, Moscow, Pocatello		
District	2			
Senior	0			
Bankruptcy	2			
Magistrate				
Full time	2			
Part-time	0			

District of Montana				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	1,163	1,187	2.1%	396
Terminations	1,155	1,096	-5.1%	365
*Pending	1,144	1,235	8.0%	412
Bankruptcy Court				
Filings	4,102	4,345	5.9%	4,345
Terminations	3,335	5,039	51.1%	5,039
Pending	4,079	3,385	-17.0%	3,385
Authorized Judgeships		Authorized places of holding court: Billings, Butte, Great Falls, Helena, Kalispell, Missoula		
District	3			
Senior	2			
Bankruptcy	1			
Magistrate				
Full time	3			
Part-time	1			

*Total pending cases revised for 2002 fiscal year.

District of Nevada				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	3,133	3,218	2.7%	460
Terminations	2,983	3,125	4.8%	446
*Pending	3,001	3,094	3.1%	442
Bankruptcy Court				
Filings	19,095	20,689	8.3%	6,896
Terminations	9,534	21,234	122.7%	7,078
Pending	32,412	31,867	-1.7%	10,622
Authorized Judgeships		Authorized places of holding court: Carson City, Elko, Ely, Las Vegas, Lovelock, Reno		
District	7			
Senior	2			
Bankruptcy	3			
Magistrate				
Full time	5			
Part-time	0			

*Total pending cases revised for 2002 fiscal year.

District of Northern Mariana Islands				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	76	74	-2.6%	74
Terminations	67	69	3.0%	69
*Pending	68	73	7.4%	73
Bankruptcy Court				
Filings	28	20	-28.6%	20
Terminations	31	9	-71.0%	9
Pending	30	41	36.7%	41
Authorized Judgeships		Authorized place of holding court: Saipan		
District	1			
Senior	0			
Bankruptcy	0			
Magistrate				
Full time	0			
Part-time	0			

The Northern Mariana Islands district judge also handles all bankruptcy cases.

District of Oregon				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	3,027	3,190	5.4%	532
Terminations	2,897	2,977	2.8%	496
*Pending	2,692	2,905	7.9%	484
Bankruptcy Court				
Filings	24,034	25,723	7.0%	5,145
Terminations	23,181	24,895	7.4%	4,979
Pending	15,727	16,555	5.3%	3,311
Authorized Judgeships		Authorized places of holding court: Coquille, Eugene, Klamath Falls, Medford, Pendleton, Portland		
District	6			
Senior	5			
Bankruptcy	5			
Magistrate				
Full time	6			
Part-time	1			

*Total pending cases revised for 2002 fiscal year.

Eastern District of Washington				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	1,276	1,369	7.3%	342
Terminations	1,123	1,205	7.3%	301
*Pending	957	1,121	17.1%	280
Bankruptcy Court				
Filings	10,059	10,602	5.4%	5,301
Terminations	9,517	10,063	5.7%	5,032
Pending	8,216	8,755	6.6%	4,378
Authorized Judgeships		Authorized places of holding court: Richland, Spokane, Walla Walla, Yakima		
District	4			
Senior	2			
Bankruptcy	2			
Magistrate				
Full time	2			
Part-time	0			

*Total pending cases revised for 2002 fiscal year.

Western District of Washington				
Caseload Measure	Fiscal Year		Change 2002-2003	Per Judgeship Unweighted 2003
	2002	2003		
District Court				
Filings	4,794	5,542	15.6%	792
Terminations	4,709	3,902	-17.1%	557
*Pending	2,851	4,491	57.5%	642
Bankruptcy Court				
Filings	28,349	30,305	6.9%	6,061
Terminations	27,886	30,033	7.7%	6,007
Pending	20,014	20,286	1.4%	4,057
Authorized Judgeships		Authorized places of holding court: Bellingham, Seattle, Tacoma		
District	7			
Senior	4			
Bankruptcy	5			
Magistrate				
Full time	4			
Part-time	2			

*Total pending cases revised for 2002 fiscal year.



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